

TITLE III-GENERAL INFORMATION

Title III- Language Instruction for Limited English Proficient and Immigrant Students

Part A- English Language Acquisition, Language Enhancement, and Academic Achievement Act

NCLB Act consolidates the Bilingual Education Act (Title VII) with the Emergency Immigrant Education Program in Title III of the NBLA Act of 2002.

Purpose of Title III

The purpose of Title III is to ensure that English language learners (referred as limited English proficient (LEP) students in federal statute), including immigrant students, develop English proficiency and meet the same academic content and academic achievement standards that other children are expected to meet.

Title III provides 2 separate funding streams: limited English proficient and immigrant. Iowa Department of Education (IDE) will allocate formula subgrants to eligible entities (Area Educational Agencies and the Urban Education Network Districts) enrolling English Language Learners (ELL) and set-aside subgrants to LEAs experiencing a significant growth in the eligible immigrant student population over the previous 2-year period.

Funds are provided to the State on a formula-based (80% on the number of limited English proficient students and 20% on the number of immigrant children and youth).

Funds shall be used to:

- 1) Increase English proficiency by providing programs based on scientifically based research demonstrating effectiveness of the program in increasing:
 - English proficiency
 - Student academic achievement in the core academic subjects
- 2) Provide high-quality professional development to teachers, principals, administrators, and other school or community-based organizational personnel.

Other Authorized Activities are:

- Upgrade programs and effective instructional strategies.
- Improve instructional program by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.
- Provide-tutorials and academic or vocational education-intensified instruction.
- Develop language instruction educational programs coordinated with other relevant programs and services.
- Improve English proficiency and academic achievement for ELL.

- Provide community participation programs, family literacy services, parent outreach and training activities to ELL and their families to improve the English language skills of ELL, and to assist parents in helping their children to improve their academic achievement and becoming active participants in the education of their children.
- Improve the instruction of ELL by providing for: the acquisition or development of educational technology or instructional materials; access to, and participation in, electronic networks for materials, training, and communication, and incorporation of such resources into curricula and programs such as those funded by this subgrant.
- Carry out other activities that are consistent with the purposes of this section.

The funds made available under this subpart shall be used to **supplement** Federal, state, and local public funds and in no case to supplant such funds. The current estimation is based on U.S. Department of Education current notification. It is contingent upon receipt of funds by the Iowa Department of Education from the U.S. Department of Education.

Allowable Expenditures

- 1) Salaries and benefits
- 2) Contracts
- 3) Travel
- 4) Supplies
- 5) Equipment
- 6) Other

Testing

1. All ELL must be tested at least once a year using an English language proficiency test.
2. ELL who have been in the U.S. schools for 3 consecutive years must be tested in reading/language arts using a test written in English. (This testing requirement is in addition to the requirement that ELL students be tested in mathematics and, in 2007, science)

Assessment that satisfy the NCLB requirements for English language proficiency:

IDEA Proficiency Test (IPT)

Ballard & Tighe Publishers
480 Atlas Street
Brea, CA 92821-3117
1-800-321-4332
www.ballard-tighe.com

Language Assessment Scale (LAS)

CTB/McGraw-Hill
Mid-Continent Regional Office
12412 Powerscourt Drive, Suite 110
St. Louis, MO 63131
314-821-1700
www.ctb.com

Participation by Non Public

<http://www.ed.gov/legislation/ESEA02/pg111.html>

AEA/LEA must provide, on an equitable basis, educational services or other benefits that address the needs under the program of children, teachers, and other educational personnel in non-public schools in areas served by AEA/LEA.

ELL/LEP Funds

Eligible entities must be scheduled to receive a subgrant of \$10,000 or more to qualify. Based on the BEDS of 2001-2002 Report and the estimated allocation from the U.S.D.E., in order to be eligible an entity will need to have a student population of 102 or more ELL. IDE estimates that qualifying entities will receive \$99 per ELL. See table for list of eligible entities. The current estimation is based on U.S. Department of Education current notification. It is contingent upon receipt of funds by the Iowa Department of Education from the U.S. Department of Education.

Budget information will be provided as soon as the U.S. Department of Education sends the IDE the final amount.

Estimated Allocation for AEAs and Urban Education Network Districts

AEA	# of ELL	Estimated \$	Urban Ed. Network Dist.	# of ELL	Estimated \$	Comments
1	204		Dubuque	56		
2	223					
3	84					
4	185					
5	983					
6	988					
7	1,034		Waterloo	940		
9	1,551		Davenport	365		
10	528		Cedar Rapids	169		
			Iowa City	226		
11	4,205		Des Moines	3,122		
12	2,608		Sioux City	2,184		
13	213		Council Bluffs	133		
14	191					
15	209					
16	131					
Total	13,337					

In Iowa, 55% of the LEAs with ELL have between 1 and 10 students; 30% have less than 100 and 15% have more than 102. To assure that we address the needs of LEA of all sizes, in all geographical areas, and urbanicity, the AEAs will function as fiscal agents of the consortia for these funds.

The Urban Education Network Districts will have the option of submitting their own application. Area Educational Agencies and Urban Education Network Districts (referred in this application as LEAs) are encouraged to communicate and collaborate in the planning and writing of their application, even if they are submitting separate applications.

An Urban Education Network District, if submitting a separate application, needs to send it with the AEA application. Both applications should come together to the Iowa Department of Education.

AEAs scheduled to receive less than \$10,000 must enter into a consortium with another AEA in order to receive funds. The total amount of the subgrant must collectively total \$10,000 or more. Qualifying entities must submit a plan to the IDE in order to receive a subgrant. Once applications are approved, IDE will distribute the funds.

Immigrant Funds

These funds are awarded based upon significant increase rather than through a formula. Eligible entities are those LEAs with a *significant increase* on their immigrant student population based on the average of the past 2 years. See Definitions section for definition of "significant increase."

Eligible LEAs requesting funds for **immigrant students** should submit their plan directly to the IDE. Requirements and specifications of the plan will be posted on the IDE web site.

In order to qualify for funds LEAs with immigrant students must document a significant increase in their enrollment of eligible immigrant students as compared to the previous 2-year period.

Program Activities...

provide enhanced instructional opportunities for immigrants, which may include--

- *family literacy services, parent outreach, and training to: assist parents in becoming active participants in the education of their children;
- *support for personnel, including aides, to provide services to immigrants;
- *provision of tutorials, mentoring, and academic or career counseling for immigrants;
- *acquisition/identification of curricular materials, educational software, and technologies to be used in the program carried out with funds;
- *basic instruction services directly attributable to the presence of immigrants (e.g., additional classroom supplies, transportation);
- *other instruction services designed to assist immigrants to achieve in US schools (e.g., programs of introduction to educational system and civics); and
- *activities, coordinated with community-based organizations, IHEs, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrants by offering comprehensive community services.

Immigrant funds: approximately \$234,337 for the State to distribute among eligible LEAs.

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Definitions

COHORT: the same group of students over time

ENGLISH LANGUAGE LEARNER (ELL): A national origin student who is limited English proficient. This term is preferred over LEP as it highlights accomplishments rather than deficits

ELL/LEP (Iowa): Refers to a student who has a language background other than English, and the proficiency in English is such that the probability of the student's academic success in an English-only classroom is below that of an academically successful peer with an English language background.

(Iowa 281--60.2)

IMMIGRANT CHILDREN AND YOUTH: individuals who (1) are ages 3 to 21; (2) were not born in any State; and (3) have not been attending one or more schools in any one or more States for more than 3 full academic years

(No Child Left Behind Act 2002)

LIMITED ENGLISH PROFICIENT (LEP): (term use in federal language; federal definition)

"...means an individual-

"(A) who is age 3 through 21;

"(B) who is enrolled or preparing to enroll in an elementary school or secondary school;

"(C)(i) who was not born in the United States or whose native language is a language other than English

(ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and

"(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

"(iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

"(D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual-

"(i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);

"(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or

"(iii) the opportunity to participate fully in society.

(No Child Left Behind Act 2002)

LOCAL EDUCATIONAL AGENCY-

(A) IN GENERAL- The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.

(No Child Left Behind Act 2002)

SECTION 3302. PARENTAL NOTIFICATION

(a) IN GENERAL- Each eligible entity using funds provided under this title to provide a language instruction educational program shall, not later than 30 days after the beginning of the

school year, inform a parent or the parents of a limited English proficient child identified for participation in, or participating in, such program of —

- (1) the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction educational program;
- (2) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
- (3) the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
- (4) how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
- (5) how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
- (6) the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools;
- (7) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
- (8) information pertaining to parental rights that includes written guidance —

(A) detailing —

- (i) the right that parents have to have their child immediately removed from such program upon their request; and
- (ii) the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

(B) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.

(b) SEPARATE NOTIFICATION- In addition to providing the information required to be provided under subsection (a), each eligible entity that is using funds provided under this title to provide a language instruction educational program, and that has failed to make progress on the annual measurable achievement objectives described in section 3122 for any fiscal year for which part A is in effect, shall separately inform a parent or the parents of a child identified for participation in such program, or participating in such program, of such failure not later than 30 days after such failure occurs.

(c) RECEIPT OF INFORMATION- The information required to be provided under subsections (a) and (b) to a parent shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

(d) SPECIAL RULE APPLICABLE DURING SCHOOL YEAR- For a child who has not been identified for participation in a language instruction educational program prior to the beginning of the school year, the eligible entity shall carry out subsections (a) through (c) with respect to the parents of the child within 2 weeks of the child being placed in such a program.

(e) PARENTAL PARTICIPATION-

(1) IN GENERAL- Each eligible entity using funds provided under this title to provide a language instruction educational program shall implement an effective means of outreach to parents of limited English proficient children to inform such parents of how they can —

(A) be involved in the education of their children; and

(B) be active participants in assisting their children —

(i) to learn English;

(ii) to achieve at high levels in core academic subjects; and

(iii) to meet the same challenging State academic content and student academic achievement standards as all children are expected to meet.

(2) RECEIPT OF RECOMMENDATIONS- The outreach described in paragraph (1) shall include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents described in such paragraph.

(f) BASIS FOR ADMISSION OR EXCLUSION- A child shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status
(No Child Left Behind Act 2002)

PROFESSIONAL DEVELOPMENT- The term 'professional development' —

(A) includes activities that —

(i) improve and increase teachers' knowledge of the academic subjects the teachers teach, and enable teachers to become highly qualified;

(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

(iii) give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic content standards and student academic achievement standards;

(iv) improve classroom management skills;

(v) are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom; and

(II) are not 1-day or short-term workshops or conferences;

(vi) support the recruiting, hiring, and training of highly qualified teachers, including teachers who became highly qualified through State and local alternative routes to certification;

(vii) advance teacher understanding of effective instructional strategies that are —

- (I) based on scientifically based research (except that this subclause shall not apply to activities carried out under part D of title II); and
- (II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers; and
- (viii) are aligned with and directly related to —
 - (I) State academic content standards, student academic achievement standards, and assessments; and
 - (II) the curricula and programs tied to the standards described in subclause (I) except that this subclause shall not apply to activities described in clauses (ii) and (iii) of section 2123(3)(B);
- (ix) are developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this Act;
- (x) are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;
- (xi) to the extent appropriate, provide training for teachers and principals in the use of technology so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and core academic subjects in which the teachers teach;
- (xii) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;
- (xiii) provide instruction in methods of teaching children with special needs;
- (xiv) include instruction in the use of data and assessments to inform and instruct classroom practice; and
- (xv) include instruction in ways that teachers, principals, pupil services personnel, and school administrators may work more effectively with parents; and
- (B) may include activities that —
 - (i) involve the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;
 - (ii) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of Title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers; and
 - (iii) provide follow-up training to teachers who have participated in activities described in subparagraph (A) or another clause of this subparagraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom.

(No Child Left Behind Act 2002)

SCIENTIFICALLY BASED RESEARCH- The term 'scientifically based research' —

- (A) means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and
- (B) includes research that —
 - (i) employs systematic, empirical methods that draw on observation or experiment;
 - (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
 - (iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple

measurements and observations, and across studies by the same or different investigators;

(iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;

(v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and

(vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

(No Child Left Behind Act 2002)

SIGNIFICANT INCREASE: will be defined based on the enrollment data of the last two years, the percent of growth (5% or more), and the need for hiring staff to provide direct services to immigrant students

STATES: each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico